

Notice of Allowability

Application No.

10/770,892

Examiner

Benjamin H. Layno

Applicant(s)

FINOCCHIO, RICHARD

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 09/04/07 and interview on 12/07/07.
2. ☒ The allowed claim(s) is/are 1 and 3-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 9/4/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12/07/07
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew L. Reibman on 12/07/07.

The application has been amended as follows:

In claim 1, lines 6-7 the recitation "first indicia configured to visually indicate to a player whether the game ticket is a winning ticket, the" has been deleted.

In claim 1, line 8 the new recitation --, the first indicia configured to visually indicated to a player whether the game ticket is a winning ticket when the removable opaque covering is removed by the player—has been inserted after "covering" and before ",".

In claim 1, line 16 the new recitation --when the opaque cover is removed by the player,-- has been inserted after "wherein" and before "whether".

In claim 1, line 17 the recitation "prior to the ticket being tendered for redemption" has been deleted.

In claim 1, line 18 the new recitation --prior to the ticket being tendered for redemption—has been inserted after "combination," and before "but".

In claim 14, line 7 the recitation "first indicia configured to visually indicate to a player whether the game ticket is a winning ticket, the" has been deleted.

In claim 14, line 10 the new recitation --, the first indicia configured to visually indicate to a player whether the game ticket is a winning ticket when the removable opaque covering is removed by the player—has been inserted after "covering" and before "; and".

In claim 14, line 18 the new recitation --the player removing the opaque covering from the first player key,-- has been inserted after "by" and before "the".

In claim 14, line 20 the new word --wherein-- has been inserted after "seperately and" before "a position".

In claim 16, line 2 --,-- has been inserted after "indicia".

In claim 16, lines 3-4 the recitation "configured to visually indicate to the player whether the game ticket is a winning ticket, the game ticket also having" has been deleted.

In claim 16, line 5 the new recitation --the first indicia configured to visually indicate to the player whether the game ticket is a winning ticket when the removable opaque covering is removed by the player,-- has been inserted after "covering," and before "the first".

In claim 16, line 7 the word "configured" has been deleted.

In claim 16, line 10 the new recitation --by the player—has been inserted after "removing" and before "the"

In claim 16, line 12 new recitation --by the player—has been inserted after "removing" and before "the".

In claim 16, line 13 the new recitation --after revealing the first player key and-- has been inserted before "prior".

In claim 16, line 13 the new recitation --by the player--has been inserted after "redemption" and before ", using".

In claim 16, line 14 the new recitation --by the player--has been inserted after "combination" and before "to".

In claim 22, line 4, "," has been changed to --;--.

In claim 22, between lines 4 and 5 the new recitation --concealing the first player key and the game play information with a removable opaque covering,-- has been inserted.

In claim 22, line 5 the new recitation --after removal of the removable opaque covering-- has been inserted after "player" and before "upon".

In claim 22, line 6 the new recitation --by the player-- has been inserted after "examination" and before "of".

In claim 22, line 7 the word "a" has been changed to "the".

In claim 22, line 7 the new recitation --after removal of the removable opaque covering--has been inserted after "player" and before "upon".

In claim 22, lines 9-10 the recitation "concealing the first player key and the game play information with a removable opaque coating;" has been deleted.

In claim 33, line 10 the new recitation --, after the player removes the opaque covering from the first indicia,-- has been inserted after "wherein" and before "whether".

In claim 33, line 10 the new recitation --from the first indicia, and wherein, after the player removes the opaque covering from the second indicia, whether the game ticket is a winning ticket is determinable by the player-- has been inserted after "player".

In claim 33, line 11 the new recitation --whether the game ticket is a winning ticket is-- has been inserted after "but" and before "not".

In claim 33, line 11 the new word --determinable-- has been inserted after "not" and before "from".

In claim 34, line 5 the new recitation --, the first player key and the game play area covered by a removable opaque covering--has been inserted after "area" and before ";

In claim 34, line 9 the new recitation --after the player removes the opaque covering from the game play area,-- has been after "area" and before "and".

In claim 34, line 9 the new recitation --wherein, whether the game ticket is a winning ticket-- has been inserted after "and" and before "is".

In claim 34, line 10 the new recitation --, after the player removes the removable opaque covering from the first player key,-- has been inserted after "player" and before "based".

In claim 34, line 10 the new recitation --by the player-- has been inserted after "examination" and before "of".

2. The following is an examiner's statement of reasons for allowance: None of the cited references alone or in combination teach the claimed "first player key located on the substrate and concealed by the removable opaque covering; and a second player key located on the substrate within the customer key area, wherein when the opaque cover is removed by the player, whether the game ticket is a winning ticket is determinable by the player using information from the first and second player keys in combination prior to the ticket being tendered for redemption, but not determinable using only information from only one of the first and second player keys".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

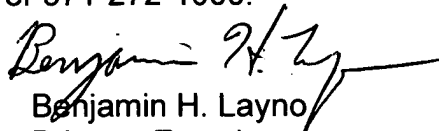
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin H. Layno whose telephone number is (571) 272-4424. The examiner can normally be reached on Monday-Friday, 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene Kim can be reached on (571)272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/770,892
Art Unit: 3711

Page 7

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Benjamin H. Layno
Primary Examiner
Art Unit 3711

bhl